

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
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CHAMBERS OF
COLLEEN McMAHON
UNITED STATES DISTRICT JUDGE

TO ALL COUNSEL IN: Leighton v. Oberthur
04 Civ. 2496

FROM: Judge McMahon

DATE: May 21, 2007

RE: Trial Date

Gentlemen:

We have been overtaken by events.

I have been clinging to that September 10 trial date zealously. However, two new developments - my impending knee replacement surgery, which was undreamed of when we scheduled the trial; and the assignment to me of a substantial portion of the late Judge Casey's docket, which requires immediate attention upon my return to work after surgery - force me to admit that I will not get your motions decided as early as I had planned. That means a later trial date.

I will continue to work on the standing motion while I am out of the office. I promise that I will not forget about you. I am committed to trying this case during this calendar year (unless, of course, I decide that I ought not try it at all). To that end, please let me know what your schedules look like for the rest of the year.



U.S.D.J.